

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: February 16, 2005

Division: BOCC

Bulk Item: Yes No XX

Department: Commissioner David Rice, District 4

Staff Contact Person: Tamara Lundstrom

AGENDA ITEM WORDING: Approval of Resolution supporting Baker Act Reform and supporting the efforts of the Lower Keys Medical Center to obtain state funding for its DePoo Facility for Baker Act Services.

ITEM BACKGROUND: In 2003 the DePoo Facility received approximately 400 Baker Act patients, or 57% of all such Baker Act patients in Monroe County. Sufficient funding necessary to care for Baker Act patients has not been appropriated, jeopardizing the DePoo Facility's ability to provide this service in the future.

PREVIOUS RELEVANT BOCC ACTION:

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

TOTAL COST: _____

BUDGETED: Yes No

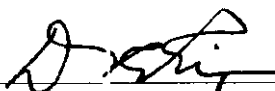
COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL: _____


(David P. Rice, Commissioner)

DOCUMENTATION: Included

Not Required

DISPOSITION: _____

AGENDA ITEM # _____

February 2005
Commissioner Rice

RESOLUTION # _____

**A RESOLUTION OF THE MONROE COUNTY BOARD OF
COUNTY COMMISSIONERS, MONROE COUNTY, FLORIDA,
SUPPORTING BAKER ACT REFORM AND SUPPORTING
EFFORTS BY THE LOWER KEYS MEDICAL CENTER TO
OBTAIN FUNDING FOR ITS DEPOO FACILITY FOR BAKER
ACT SERVICES; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Baker Act, a Florida Law, allows for involuntary examination of persons thought to be a danger to themselves or others for a period of up to 72 hours and

WHEREAS, mental health and law enforcement professionals have come to understand that legal limitations inherent in the Baker Act lead to insufficient care of the mentally ill; and

WHEREAS, there is a tension between the right of the mentally ill person to be "free" and the right to obtain treatment that the person may be too ill to recognize he or she needs; and

WHEREAS, Baker Act reform would allow, as 41 other states already allow, court-ordered involuntary commitment and outpatient treatment; and

WHEREAS, in Key West, the DePoo Facility of the Lower Keys Medical Center ("DePoo") is a Baker Act receiving facility; and

WHEREAS, in 2003, DePoo received approximately 400 Baker Act patients, or 57% of all such Baker Act patients in Monroe County; and

WHEREAS, DePoo has been unsuccessful in obtaining necessary funding to care for Baker Act patients in the Lower Keys, thereby jeopardizing its ability to provide this service in the future; and

WHEREAS, the Monroe County Board of County Commissioners recognizes the urgent need to care for the mentally ill in the community, as well as the connection between mental health and homelessness;

NOW THEREFORE, BE IT RESOLVED BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS, MONROE COUNTY, FLORIDA, AS FOLLOWS:

Section 1: That the Baker Act reform is hereby supported.

Section 2: That funding for the DePoo Facility to provide full services to Baker Act patients is hereby supported.

Section 3: That the County Clerk is hereby authorized to transmit certified copies of this Resolution to the Department of Children and Family Services, to the Key West City Council, City of Key West, and to Senator Larcenia Bullard and State Representative Ken Sorensen.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the County Clerk.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a meeting of said Board held on the 16th day of February, A.D., 2005.

Mayor Dixie M. Spehar
Mayor Pro Tem Charles "Sonny" McCoy
Commissioner George Neugent
Commissioner David P. Rice
Commissioner Murray E. Nelson

(SEAL)

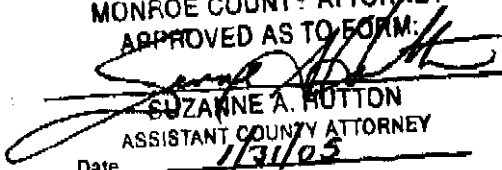
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Mayor/Chairman

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:


SUZANNE A. RUTTON
ASSISTANT COUNTY ATTORNEY

Date 1/31/05